

**BOISE, IDAHO, JUNE 5, 2023 AT 10:00 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**In the Matter of Petition for Release of  
Mechanic's Lien.**

**DATUM CONSTRUCTION, LLC, an Idaho  
limited liability company,**

**Petitioner-Respondent,**

**v.**

**RE INVESTMENT CO., LLC dba PRO  
RENTALS & SALES,**

**Claimant-Appellant.**

**Docket No. 49708-2022**

Appeal from the District Court of the Fourth Judicial District of the State of Idaho,  
Ada County. Michael Reardon, District Judge.

Hahn Law Office, Idaho Falls, for Petitioner-Respondent.

McConnell Wagner Sykes & Stacey, PLLC, Boise, for Claimant-Appellant.

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**PRESS RELEASE**

*Datum Construction v. Pro Rentals & Sales*  
Docket No. 49708-2022

This case concerns the procedures that a lien claimant must follow to collect against a lien release bond under Idaho's mechanic's lien statutes. Datum Construction, LLC was the general contractor on a commercial construction contract for a development in Star, Idaho (the "property"). Pro Rentals & Sales provided rental equipment to one of Datum's subcontractors, but Pro Rentals was never paid for providing the equipment. Pro Rentals then recorded a claim of lien against the property. Prior to Pro Rentals foreclosing on its lien, Datum obtained a lien release bond pursuant to the "bond around" provisions in Idaho's mechanic's lien statutes. Datum petitioned the district court and obtained an order releasing Pro Rentals' lien. Six months after Pro Rentals recorded its claim of lien, Datum moved the district court to release the bond, arguing that Pro Rentals would have had to initiate foreclosure proceedings on its mechanic's lien within six months under the mechanic's lien statutes and that same limitation applied to Pro Rentals' claim against the bond. The district court agreed and issued an order releasing the bond. Pro Rentals appeals, arguing that

the district court misinterpreted the mechanic's lien provisions and that it was not bound by the six-month limitation.